THE HON'BLE SRI JUSTICE L.NARASIMHA REDDY

WRIT PETITION No.4836 of 2007

Date: 12.03.2007

Between:

Jonnalagadda Seetaramanjaneyulu & another.

....Petitioners

and

The Secretary to Government,
Irrigation Department & others.

....Respondents

O R D E R:

The petitioners claim that they are the owners of the lands in Sy.Nos.408/3 and 408/4 of Dhenuvakonda Village, Addanki Mandlal, Prakasam District. The lands are situated by the side of a stream. A check dam is said to have been constructed across the stream several years ago, but not properly maintained thereafter. The respondents are taking steps to construct a new check dam across the same stream about 400 sq.meters upstream, from the old check dam. The grievance of the petitioners is that the construction of a new check dam, which is proximate to their lands, would lead to water logging and damage to the fertility of their lands. It is also their case that with fraction of the expenditure that may be needed for construction of new check dam, the old can be brought to use. They seek appropriate directions in this regard.

Heard the learned counsel for the petitioners and the learned Government Pleader for Irrigation.

Construction of check dams is undertaken with a view to enhance the ground water levels. The submergence area for a check dam is relatively less. The petitioners do not even complain that the construction of check dam would result in submergence of any part of their land. This Court is not inclined to accept the contention of the petitioners that the fertility of their land would be affected in case new check dam is constructed. It is not as if the water is going to be in store for whole of the year. Except that the

water is held for shorter spells, the check dam is not going to result in shortage of much water. Hence, this Court is not inclined to grant any relief to the petitioners.

The writ petition is accordingly dismissed. There shall be no order as to costs.

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12.03.2007

kdl